

DOCKET NO. NL 000385 (PHIL06-00385)
SERIAL NO. 09/897,365
PATENT

REMARKS

Claims 7-18 were pending in this application.

Claims 7-13 have been rejected.

Claims 14-18 have been allowed.

Claims 7 and 12-14 have been amended as shown above.

Claims 19-26 have been added.

Claims 7-26 are now pending in this application.

Reconsideration and full allowance of Claims 7-26 are respectfully requested.

I. ALLOWABLE CLAIMS

The Applicant thanks the Examiner for the indication that Claims 14-18 are allowable. The Applicant has amended Claim 14 to correct informalities noted by the Applicant. The Applicant respectfully submits that Claims 14-18 remain in condition for allowance.

The Applicant has also added new Claims 19-26. Claims 19-26 are allowable for the reasons provided in the Office Action.

II. OBJECTION TO THE SPECIFICATION

The Office Action objects to the specification as failing to include section headings. The Applicant respectfully notes that MPEP § 608.01(a) does not require section headings in the

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specification. As a result, the Applicant respectfully declines to add section headings to the specification.

III. REJECTION UNDER 35 U.S.C. § 101

The Office Action rejects Claims 7-13 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In particular, the Office Action asserts that Claims 7-13 are “not in the useful technical arts” because the claims recite “mathematical subject matter.”

The Applicant has amended Claim 7 to recite “operating a filter” using “calculated filter coefficients.” As a result, Claim 7 does not merely recite mathematical subject matter. Instead, the Applicant respectfully submits that Claim 7 recites subject matter that is useful in the “technical arts.”

Based on this, the Applicant respectfully requests withdrawal of the § 101 rejection and full allowance of Claims 7-13.

IV. NEW CLAIMS

The Applicant has added new Claims 19-26. The Applicant respectfully submits that no new matter has been added. Claims 19-26 are allowable for the reasons provided in the Office Action. The Applicant respectfully requests entry and full allowance of Claims 19-26.

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V. **CONCLUSION**

The Applicant respectfully asserts that the claims in this application are in condition for allowance and respectfully requests an early allowance of such claims.

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SUMMARY

If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at wmunck@davismunck.com.

The Commissioner is hereby authorized to charge any additional fees connected with this communication (including any extension of time fee) or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: Aug. 26, 2004


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